

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BIG SANDY BAND OF WESTERN MONO
INDIANS, *a federally recognized Indian tribe*,

Plaintiff,

v.

GAVIN NEWSOM, *Governor of the State of*
California; and the STATE OF
CALIFORNIA,

Defendants

Case No. 1:22-cv-00844-KES-SKO

**ORDER REQUIRING THE PARTIES TO
SHOW CAUSE WHY SANCTIONS
SHOULD NOT ISSUE FOR FAILING TO
COMPLY WITH THE COURT'S
ORDER**

TEN DAY DEADLINE

On February 5, 2024, the parties filed a stipulation requesting the case be stayed pending approval of a Tribal-State Class III Gaming Compact. (Doc 35.) On February 6, 2024, the Court approved the stipulation and issued an order directing the parties to file a status report within 90 days, and every 90 days thereafter, to advise the Court of the status of the ratification and approval process of the gaming compact. (Doc. 36.)

On April 1, 2025, the Court noted that the parties had failed to file the status report that was due on October 28, 2024, and ordered the parties to file a status report no later than April 8, 2025 “and every 90 days thereafter.” (Doc. 40.) That order also advised the parties that “failure to comply with [that] order may be grounds for the imposition of sanctions on any and all counsel as well as any party or parties who cause non-compliance with this order.” (*Id.*) The parties filed a Joint Status Report the next day.

The next status report was due 90 days thereafter, on July 1, 2025. The parties have again failed to file an updated joint status report as ordered.

1 Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these Rules
2 or with any order of the Court may be grounds for imposition by the Court of any and all sanctions
3 . . . within the inherent power of the Court.” The Court has the inherent power to control its docket
4 and may, in the exercise of that power, impose sanctions where appropriate, including dismissal of
5 the action. *Bautista v. Los Angeles Cty.*, 216 F.3d 837, 841 (9th Cir. 2000).

6 In light of the parties’ repeated failures to file a status report in compliance with the courts
7 order, the parties are required to show cause why sanctions should not issue.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. The parties file a joint status report by no later than September 5, 2025, *and every 90*
10 *days thereafter*, to advise the Court of the status of the ratification and approval
11 process; and
12 2. Within ten (10) days from the date of service of this order, the parties shall show
13 cause in writing why sanctions should not issue for the parties repeated failure to
14 comply with the Court’s orders.

15
16 IT IS SO ORDERED.

17 Dated: September 3, 2025

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE